GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:440
ANSWERED ON:19.12.2000
NATIONAL HUMAN RIGHTS COMMISSION
BASUDEB ACHARIA

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether National Human Rights Commission in its Action Taken Report 2000, has recommended that the Para-military forces and the Army should also report directly to the Commission regarding any instance of death or rape that might occur `when a person is in their custody`; and

(b) if so, the reaction of the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDYASAGAR RAO)

(a) & (b): The National Human Rights Commission in its Annual Report for the year 1998-99 as well in its Reports for the years 1997-98 and 1996-97 has recommended that Para-military forces and the Army should also report directly to the Commission any instance of death or rape that might occur when a person is in their custody.

According to the procedure prescribed in Section 19 of the Protection of Human Rights Act, 1993 for dealing with complaints of violation of human rights by members of the armed forces, the Commission may, either on its own motion or on receipt of a petition, seek a report from the Central Government. After the receipt of the report, it may, either not proceed with the complaint or, as the case may be, make its recommendations to the Government. The above procedure is being followed in dealing with complaints of violation of human rights by members of the armed forces.